



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,553	11/09/2001	Robert O. Aberg	MWS-009	6757

959 7590 12/22/2006
LAHIVE & COCKFIELD, LLP
ONE POST OFFICE SQUARE
BOSTON, MA 02109-2127

EXAMINER

BRIER, JEFFERY A

ART UNIT	PAPER NUMBER
----------	--------------

2628

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/22/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/008,553

Applicant(s)

ABERG ET AL.

Examiner

Jeffery A. Brier

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-7, 9, 10, 17, 19 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-7, 9, 10, 17, 19, and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The amendment filed on 11/13/2006 has been entered. The amendment to the specification overcomes the objection to the specification set forth in the office action mailed on 5/12/2006 at paragraph 2.

Response to Arguments

2. Applicant's arguments filed 11/13/2006 have been fully considered but they are not persuasive.

Claim Rejections under 35 USC 112 second paragraph

The amendments to claim 5 do not overcome the rejection because "said other diagram" does not clearly convey where the differences will be placed. The amendments to claim 7 do not overcome the rejection because it is not clear where the differences will be placed. The amendments to claim 9 do not overcome the rejection because the claim remains incomplete. The amendment to claim 10 does overcome the lack of antecedent basis issue raised in the last office action. The amendment to claim 17 does not overcome the "one or more" issue raised in the last office action because "some" includes "one or more". The amendment to claim 17 does overcome the "corresponding sections" issue. The amendment to claim 19 does not overcome the "one or more" issue raised in the last office action because "some" includes "one or more". The amendment to claim 19 does overcome the "corresponding sections"

Art Unit: 2628

issue. The amendment to claim 22 does not overcome the "one or more" issues raised in the last office action because "some" includes "one or more". The amendment to claim 22 does overcome the "corresponding sections" issue.

Claim Rejections under 35 USC 101

The amendments to claims 5, 9, 17, 19 and 22 do not overcome the 101 rejection because the claims do not clearly claim that which is claimed to be displayed. The claims seem to be claiming displaying the diagram before merging rather than the merged diagram. Displaying the diagram before merging does not claim a useful and tangible result of the mathematics used in merging the two diagrams. Clearly amending the claims to displaying the merged diagram would provide a useful and tangible result of the mathematics used in merging the two diagrams.

Claim Rejections under 35 USC 102

A. Claim 5

i. Determining differences between said electronic diagrams

Applicants arguments at pages 11-12 have been fully considered, however, column 11 lines 12-15 states "It should be understood that a merged network diagram may be displayed as an extension of either of the original network diagrams or a new network diagram, depending upon the user defined taxonomy used in the creation of the merged network diagram.". Even though Schatz may use a system u to collect the differences in order to form the merged diagram the user sees the original network

Art Unit: 2628

diagram with extensions derived from the differences between the original network diagram and the other network diagram. Thus, applicants analysis of Schatz does not fully consider the steps after forming system u which adds u to the original network diagram.

ii. Categorizing said difference between said two electronic diagrams as functional differences and graphical differences

Applicants arguments at page 13 are not persuasive because Schatz is teaching to one of ordinary skill in the art that a combined diagram may have less graphical elements than each of the individual diagrams have when viewed separately. A number of graphical or cosmetic elements may be absent such as spacing or whitespace between lines, blocks, etc of the diagram, size of each of the lines, blocks, etc of the diagram, and/or location of the lines, blocks, etc of the diagram. These examples are not exclusive of other cosmetic/graphical differences that may be present in the merged diagram taught by Schatz. The system of Schatz categorizes the differences to form the system u which categorizing would inherently include categorizing the differences as functional and graphical since the underlying trees are being analyzed and for example the graphical line or pipe representing a resource flow will look different in the displayed merged diagram than in the individual diagrams, thus, the differences has been "categorized" as functional and graphical. Similarly the system will analyze the "arrows", column 10 line 6, differently than the functions. Similarly the display information will be analyzed different than the functions, see column 10 lines 38-47.

iii. inserting the copied functional differences and graphical difference into said other electronic diagram.

Applicants arguments at pages 13-14 are not persuasive because first this claim does not clearly define the other diagram thus even system u can be considered the other diagram and in view of column 11 lines 12-15 Schatz adds system u to the original diagram to form a merged diagram having a merging of the functional and graphical differences of two diagrams into one of the diagrams

The arguments concerning claims 6 and 7 on page 14, claim 17 on pages 15-17, claim 19 on pages 17-19 and claim 22 on pages 19-21 are similar to the arguments presented for claim 5 and are not persuasive for the same reasons given for claim 5 above.

The arguments concerning claim 10 on pages 14-15 are not persuasive because the arguments i and ii have been addressed above for claim 5 and are not complete because argument iii does not reflect the limitation present in claim 10. The limitation argued in argument iii may be present in Schatz when the "predetermined parameter" is the size of the diagram which would then cause Schatz to extend resource lines and pipes to connected merged resource objects, thus, the limitation of claim 10 is needed to completely claim the invention.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 5-7, 9, 10, 17, 19, and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5:

The last three lines of this claim are not technically correct since they do not clearly claim where the differences will be placed. In the last line the claim does not clearly state whether the display is displaying the other electronic diagram before inserting or after inserting the differences.

Claim 7:

At line 5 this claim does not clearly claim where the differences will be placed.

Claim 9:

This claim is incomplete because lines 16-17 do not state what happens when the distance is at least as large as said pre-defined parameter. Claim 10 would make claim 9 complete. Additionally only the line is displayed in claim 9, thus, this claim is incomplete because it only displays a line. The line being displayed with the merged diagram is needed because the merged diagram is essential to understanding the displayed extended line.

Art Unit: 2628

Claim 17:

At line 22 "of said other state diagram" is claimed and does not clearly claim where the differences will be placed. At lines 13-24 "one or more differences" was changed to "some" however, "some" includes "one or more", thus, when "some" is read as "one difference" this renders the copying step unclear as to how many differences are being copied, a functional difference or a graphical difference. In the last line the claim does not clearly state whether the display is displaying the other state diagram before inserting or after inserting the differences.

Claim 19:

At lines 23-26 "copying less than all of said graphical differences from said other electronic diagram; inserting the copied functional differences and graphical differences into said other electronic diagram" is claimed, however, it is unclear how the graphical difference is copied from and to the same "other electronic diagram. At lines 17-28 "one or more differences" was changed to "some" however, "some" includes "one or more", thus, when "some" is read as "one difference" this renders the copying step unclear as to how many differences are being copied, a functional difference or a graphical difference. In the last line the claim does not clearly state whether the display is displaying the other electronic diagram before inserting or after inserting the differences.

Claim 22:

At lines 12-22 "one or more differences" was changed to "some" however, "some" includes "one or more", thus, when "some" is read as "one difference" this renders the copying step unclear as to how many differences are being copied, a functional difference or a graphical difference. In the last line the claim does not clearly state whether the display is displaying the other electronic diagram before inserting or after inserting the differences.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 5-7, 9, 10, 17, 19, and 22 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. This application is directed to a useful, concrete, and tangible result of displaying the result of the inserting the copied functional and graphical differences into corresponding sections of the other electronic diagram, however, these claims are not. These claims are directed to data manipulation without having a useful, concrete, and tangible result. The claims seem to be claiming the diagram before merging rather than the merged diagram. Displaying the diagram before merging does not claim a useful and tangible result of the mathematics used in merging the two diagrams. Clearly amending the claims to displaying the merged diagram would provide a useful and tangible result of the

Art Unit: 2628

mathematics used in merging the two diagrams. State Street Bank & Trust Co. v.

Signature Financial Group Inc. (CA FC) 47 USPQ2d 1596, 1603 (7/23/1998). AT&T

Corp. v. Excel Communications Inc. (CA FC) 50 USPQ2d 1447. On page 1603 first paragraph the CAFC wrote in State Street:

Under Benson , this may have been a sufficient indicium of nonstatutory subject matter. However, after Diehr and Alappat , the mere fact that a claimed invention involves inputting numbers, calculating numbers, outputting numbers, and storing numbers, in and of itself, would not render it nonstatutory subject matter, unless, of course, its operation does not produce a "useful, concrete and tangible result." Alappat , 33 F.3d at 1544, 31 USPQ2d at 1557. 7

On page 1603 paragraph labeled [4] the CAFC wrote:

[4] The question of whether a claim encompasses statutory subject matter should not focus on which of the four categories of subject matter a claim is directed to -- process, machine, manufacture, or composition of matter-- but rather on the essential characteristics of the subject matter, in particular, its practical utility. Section 101 specifies that statutory subject matter must also satisfy the other "conditions and requirements" of Title 35, including novelty, nonobviousness, and adequacy of disclosure and notice. See In re Warmerdam , 33 F.3d 1354, 1359, 31 USPQ2d 1754, 1757-58 (Fed. Cir. 1994).

Please refer to the interim guidelines found at:

Interim Guidelines for Examination of Patent Applications for Patent Subject Matter

Eligibility October 26, 2005.

[http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.p](http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf)

[df.](http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.pdf)

Art Unit: 2628

and published in the OG 22Nov2005

<http://www.uspto.gov/web/offices/com/sol/og/2005/week47/patgupa.htm>).

Step 54 and that which is discussed at page 11 lines 14-16 appears to be a useful, concrete, and tangible result of the processing performed by these claims, however, these claims do not claim a display step that displays the merged diagram. Also the displaying step at line 9 of claim 19 is not displaying the result of the method.

Claim 22 has the additional issue the claim is directed to a program per se and the specification does not describe a medium holding computer-executable instructions, thus, an amendment to make this claim statutory may not be possible. Applicant is claiming all types of medium that can hold computer-executable instructions. Note *LizardTech Inc. v. Earth Resource Mapping Inc.*, 76 USPQ2d 1724 (Fed. Cir. 2005) and *Lizardtech Inc. v. Earth Resource Mapping Inc.*, 77 USPQ2d 1391 (Fed. Cir. 2006). Applicant should consider canceling this claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 5-7, 17, 19, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Schatz et al., U.S. Patent No. 5,845,270.

Schatz describes comparing at least two electronic diagrams, column 1 lines 41-45, and merging at least two electronic diagrams, column 10 line 65 to column 11 line 21, and Schatz also describes comparing at least two state diagrams, column 1 lines 36-39, and merging at least two state diagrams, column 10 line 65 to column 11 line 21.

Schatz at column 2 lines 3-7 and 31-34, column 6 lines 43-45 and 55-58, column 6 line 67 to column 7 line 2, column 7 lines 8-17 and 49-51, column 8 lines 8-18 and 33-48, column 9 lines 6-9, 35-37, and 39-47, column 10 lines 21-27 and 44-47, and column 11 lines 56-58 teaches to the skilled artisan the broadly claimed determining differences between electronic diagrams and enabling a user to select one or more of said differences (attributes, systems, resources, etc) which are then programmatically merging the selected differences from one diagram into another diagram at a location where the difference should be placed in the merged diagram.

Schatz does teach merging some of the graphical differences because the specification at page 12 lines 9 to 11 broadly defines graphical difference as cosmetic/graphical and does not specify any specific cosmetic or graphical differences, thus, the examiner proposes that changes in size, location, and whitespace are inherently included in applicant's cosmetic/graphical difference. Thus, when Schatz at column 11 lines 11-21 states:

It should be understood that a merged network diagram may be displayed as an extension of either of the original network diagrams or a new network diagram, depending upon the user defined taxonomy used in the creation of the merged network diagram. The primary difference between an original network diagram and a

Art Unit: 2628

reconstituted display of the same generated from a database underlying the merged network diagram is the possible addition of a single system *u* representing one or more systems in a universal class not included in either of the original network diagrams.

and at lines 29-35:

If the trees of systems are mutually exclusive, then the trees of systems are combined with a system *u* representing a universal tree of aggregate systems not found in either tree to form a new tree (unless the combination of both trees of systems includes all systems in the universal tree of systems, making this step unnecessary).

Schatz is teaching to one of ordinary skill in the art that a combined diagram may have less graphical elements than each of the individual diagrams have when view separately. A number of graphical or cosmetic elements may be absent such as spacing or whitespace between lines, blocks, etc of the diagram, size of each of the lines, blocks, etc of the diagram, and/or location of the lines, blocks, etc of the diagram. These examples are not exclusive of other cosmetic/graphical differences that may be present in the merged diagram taught by Schatz.

A detailed analysis of the claims follows.

Claim 5:

Schatz teaches in an electronic device (*see figure 6, computer system 600 is an electronic device since it uses an magnetic disk, column 5 line 38, and since it uses a cathode ray tube for a display, column 5 line 42*) interfaced with a display surface (*column 5 lines 40-43 discusses various displays 621 connected to computer 600*), a method, comprising the steps of:

providing two electronic diagrams (*Schatz discusses circuit diagrams used in electrical engineering as being the types of diagrams Schatz compares and merges at column 1 lines 41-45*), said electronic diagrams having blocks (*electrical components are often grouped as blocks in electrical circuit diagrams, such as used in depicting an integrated circuit, microprocessor, memory, etc.*) representing components of a system;

determining corresponding features of said electronic diagrams that are present in both of said electronic diagrams (*in the merging of diagrams Schatz determines redundant diagram features, see column 11 lines 49-52 and 64-67*);

determining differences between said electronic diagrams (*in the merging of diagrams Schatz determines differences between diagram features when at least the redundant diagram features are determined, see column 11 lines 49-52 and 64-67*);

categorizing said differences between said two electronic diagrams as functional differences (*The flow between nodes, the flow between systems, the flow between nodes in a subsystem, the flow between subsystem nodes of one system to subsystem nodes of another system are examples of functions of the diagrams and during the merging process differences between the two diagrams are determined in order to form the merged diagram.*) and graphical differences (*Graphical differences are related to the display of the merged diagrams and are a function of the functional differences.*), said functional differences controlling the performance of a system represented by said electronic diagram, said graphical differences affecting the appearance of said electronic diagram displayed to a user;

Art Unit: 2628

copying all of said functional differences from said selected one of said two electronic diagrams (*This is taught by merging the resource into the diagram at the appropriate location.*);

copying less than all of said graphical differences from said selected one of said two electronic diagrams (*Schatz teaches merging some of the graphical differences because the specification at page 12 lines 9 to 11 broadly defines graphical difference as cosmetic/graphical and does not specify any specific cosmetic or graphical differences, thus, the examiner proposes that changes in size, location, and whitespace are inherently included in applicant's cosmetic/graphical difference. Schatz at column 11 lines 11-21 and at lines 29-35 teaches to one of ordinary skill in the art that a combined diagram may have less graphical elements than each of the individual diagrams have when view separately. A number of graphical or cosmetic elements may be absent such as spacing or whitespace between lines, blocks, etc of the diagram, size of each of the lines, blocks, etc of the diagram, and/or location of the lines, blocks, etc of the diagram. These examples are not exclusive of other cosmetic/graphical differences that may be present in the merged diagram taught by Schatz.*);

inserting the copied functional differences and graphical differences into said other electronic diagram (*The merging of the two diagrams inserts the copied functional and graphical differences from one of the two diagrams into an appropriate location in the other of the two diagrams.*); and

Art Unit: 2628

displaying at least a portion of the other electronic diagram on the display surface
(Column 5 lines 40-43 discusses various displays 621 connected to computer 600 and
column 11 lines 12-15 describes displaying the merged diagram.).

Claim 6:

Schatz teaches the method of claim 5, comprising the further step of:
cascading hierarchically the replacement of data elements in said other
electronic diagram wherein said data elements being replaced are arranged in a tree
structure (*Schatz discusses at column 11 lines 28-35 and 42-47 replacing the tree
structure of one diagram with the tree structure of another diagram during the merge
process*), said tree structure having parent data elements with child data elements
attached thereto, said child data elements in said other electronic diagram being
replaced when said parent data element is replaced (*when a tree structure is replaced
the child data associated with parent data is replaced*).

Claim 7:

Schatz teaches the method of claim 5, comprising the further step of:
cascading hierarchically the replacement of data elements in said other
electronic diagram wherein said data elements being replaced are arranged in a tree
structure (*Schatz discusses at column 11 lines 28-35 and 42-47 replacing the tree
structure of one diagram with the tree structure of another diagram during the merge
process*), said tree structure having parent data elements with child data elements

Art Unit: 2628

attached thereto, said child data elements of corresponding parent data elements in two electronic diagrams being replaced without replacing the corresponding parent data element (*This is described in applicants specification at page 11 lines 11-14. Thus, when the user in Schatz selects resources to be merged such as child resources, the user is selecting to display child resources, then, only the displayed child resources are merged. Column 10 lines 44-47.*).

Claims 17, 19, and 22:

These claims are similar to claim 5 and they are rejected for the reasons given for claim 5. These claims additionally claim "enabling a user to select some (which still claims one or more) of said differences". Schatz teaches this at column 10 lines 44-47 the Schatz teaches allowing the user to choose which resources to display which means the user selects selected resources. Claim 5 also claims an electronic diagram while claim 17 claims a state diagram. Both types of diagrams are discussed at column 1 lines 37-45 of Schatz, thus, state diagrams are compared and merged by Schatz. Claim 19 is claiming essentially the electronic device of claim 5 is connected to a network and having the electronic diagrams received by the electronic device over the network. Schatz teaches at column 6 lines 7-28 storing the data to be analyzed at a location different than the computer 600 and computer 600 is connected to a network LAN/WAN via network interface 603. Thus, the electronic diagrams compared and merged by Schatz are retrieved from a database via the network, stored locally, and then compared and merged. The claim limitation including "at least one semantic

Art Unit: 2628

connection, said semantic connection associating components within the same system in said electronic diagram" is met by the attribute that semantically associates all of the diagram components to a diagram and is met by the attribute that semantically associates all of the sub system components to a particular subsystem. This type of connection in the diagram is taught by Schatz by the attributes which identifies diagram components to a diagram and by Schatz when a component's sub system is analyzed since all of the components of the sub system do not have a direct connection to each other but they are semantically associated with the same sub system. See column 1 lines 53-55 and 59-62, column 2 lines 31-34, column 3 lines 51-57, column 4 lines 11-16, and column 5 lines 6-16 for various semantic connections that associates within the same system an electronic diagram. Also column 11 lines 5-8 teaches to merge diverse diagrams each diverse diagram is formed from known resources or systems. Claim 22 also claims *In an electronic device interfaced with a display surface, a medium holding computer-executable instructions for a method.* Schatz discusses at column 5 lines 29-30 and column 6 lines 14-17 storing instructions for the processes executed by the processor 602 in main memory 604. Main memory 604 is a medium holding the computer executable instructions for causing a processor to perform the comparing and merging.

Allowable Subject Matter

9. Claim 10 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, and 35 U.S.C. 101 set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter.

Claim 10:

The prior art of record fails to teach or suggest *determining a distance on said display surface from an endpoint of a line to an updated connection point for a block in said other electronic diagram, said updated connection point being the connection point of said line and said block following a merge operation; comparing said distance to a pre-defined parameter, said pre-defined parameter being a distance value; extending said displayed line to said updated connection point when said distance is less than said pre-defined parameter; and replacing said line with a new line drawn to said updated connection point when said distance is at least as large as said pre-defined parameter* because Schatz at column 10 lines 28-47 distance is not discussed as being a parameter that controls the visual appearance of a line.

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

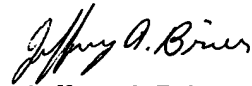
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery A Brier whose telephone number is (571) 272-7656. The examiner can normally be reached on M-F from 7:00 to 3:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (571) 272-7664. The fax phone Number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Art Unit: 2628

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Jeffery A. Brier". The signature is fluid and cursive, with the first name "Jeffery" being more prominent.

Jeffery A Brier
Primary Examiner
Division 2628